

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 118485

13

ORIGIN IO-13

INFO OCT-01 EUR-12 ISO-00 CPR-01 SCA-01 L-03 /031 R

DRAFTED BY IO/UNP:GBHELMAN:MR

APPROVED BY IO:DRTOUSSAINT

EUR:JGLOWENSTEIN

----- 128836

R 140555Z MAY 76

FM SECSTATE WASHDC

TO USMISSION EC BRUSSELS

USMISSION USUN NEW YORK

LIMITED OFFICIAL USE STATE 118485

E.O. 11652, N/A

TAGS:PDIP, EEC, UN, AORG

SUBJECT: EXTENSION OF PRIVILEGES AND IMMUNITIES TO
COMMISSION REPRESENTATIVES

1. AT HIS REQUEST, EAMON GALLAGHER, DEPUTY DIRECTOR
GENERAL, EXTERNAL RELATIONS, EEC, CALLED ON DEPUTY
ASSISTANT SECRETARY TOUSSAINT (IO) MAY 11 TO FURTHER
DISCUSS COMMISSION'S REQUEST FOR EXTENSION OF PRIVILEGES
AND IMMUNITIES (P&I) TO COMMISSION OFFICIALS TO BE
ASSIGNED TO NEW YORK. GALLAGHER SAID THAT THE COMMISSION
INTENDED HOUSING ONLY A SMALL STAFF IN NEW YORK--PERHAPS
SIX OFFICER-LEVEL OFFICIALS--AND WANTED FULL DIPLOMATIC
P&I FOR ALL OF THEM WHETHER THEIR FUNCTION RELATED TO
COMMISSION'S OBSERVER STATUS WITH UN (AND MOST OF THE
OFFICIALS WOULD BE INVOLVED IN UN ACTIVITIES) OR TO
PUBLIC INFORMATION ACTIVITIES ASSOCIATED WITH THE US-EC
BILATERAL RELATIONS.

2. IN RESPONDING, TOUSSAINT EMPHASIZED THAT WE ARE
GIVING THE MATTER VERY CAREFUL AND SYMPATHETIC CONSIDERA-
'ON AND A TENTATIVE PROPOSAL HAS BEEN IDENTIFIED WHICH
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 118485

IS NOT, HOWEVER, A DEPARTMENT POSITION. DEVELOPMENT OF

A DEPARTMENT-WIDE VIEW, NOT TO MENTION A GOVERNMENT POSITION, MIGHT LEAD TO A MODIFICATION OF THIS POSSIBILITY,

ESPECIALLY SINCE NEW LEGISLATION ALMOST CERTAINLY WILL BE REQUIRED. TOUSSAINT IDENTIFIED IMPORTANT CONSIDERATIONS WHICH US, AS HOST TO UN, MUST TAKE INTO ACCOUNT.

-- STATUS GRANTED TO COMMISSION'S PERSONNEL WILL BE SOUGHT, AS WELL, BY OTHER OBSERVER MISSIONS TO UN. CURRENTLY, MOST INTERGOVERNMENTAL OBSERVER MISSIONS ENJOY NEITHER DIPLOMATIC NOR FUNCTIONAL P&I. OAU IS EXCEPTION BECAUSE OF ACT OF CONGRESS. MOREOVER, SOVEREIGN GOVERNMENTS (SUCH AS ROK) WITH OBSERVER STATUS HAVE ONLY FUNCTIONAL P&I. THESE ORGANIZATIONS AND GOVERNMENTS WILL NOT BE WILLING TO ACCEPT THE COMMISSION'S ARGUMENT THAT ITS STATUS IS SUI GENERIS AND THUS JUSTIFIES GRANTING DIPLOMATIC P&I TO COMMISSION EMPLOYEES.

-- THERE THUS WOULD BE A POLITICAL PRICE TO PAY SHOULD US EXTEND DIPLOMATIC P&I TO THE COMMISSION'S UN OBSERVERS BUT NOT TO OTHER OBSERVER MISSIONS.

3. TOUSSAINT THEN OUTLINED FOLLOWING POSSIBILITY WHICH COULD FACILITATE THE WORK OF COMMISSION'S EMPLOYEES AND GIVE THEM ALL OF THE STATUS THEY NEED TO DO THEIR JOBS.

-- EXECUTIVE ORDER 11689 WOULD BE AMENDED TO ALLOW THE COMMISSION TO ESTABLISH A NEW YORK OFFICE WHOSE OFFICIALS WOULD ENJOY DIPLOMATIC P&I.

-- WE WOULD SEEK LEGISLATION GRANTING FUNCTIONAL P&I TO THE COMMISSION'S UN OBSERVER PERSONNEL.

-- A SINGLE SENIOR OFFICIAL, HEADING BOTH OPERATIONS IN NEW YORK, WOULD ENJOY DIPLOMATIC P&I.

3. RESPONDING, GALLAGHER SAID THE PROPOSAL SIMPLY DOES NOT MEET COMMISSION'S NEEDS. HE SAID COMMISSION DOES NOT WANT TO BE CONFUSED WITH INTERGOVERNMENTAL LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 118485

ORGANIZATIONS OR ENTITIES SUCH AS PLO. EC HAS ATTRIBUTES OF SOVEREIGNTY WHICH PUTS IT IN A CLASS BY ITSELF. NEITHER COULD GALLAGHER ACCEPT COMPARISON WITH NATIONAL OBSERVERS SUCH AS SOUTH KOREA WHICH, AFTER ALL, COULD LOOK FORWARD TO EVENTUAL UN MEMBERSHIP WHEREAS EC COULD NOT. AS FAR AS POLITICAL COSTS TO THE US OF GRANTING DIPLOMATIC P&I TO COMMISSION PERSONNEL, US WOULD SIMPLY HAVE TO STAND UP TO CRITICISM FROM OTHER UN MEMBERS AND

ORGANIZATIONS AND BEAR COSTS.

4. GALLAGHER SAID HE WILL CONSIDER ASKING SOAMES TO

RAISE MATTER ON POLITICAL LEVEL WITH THE SECRETARY.
TOUSSAINT SAID WE ARE ANXIOUS TO FIND SOLUTION WHICH
MEETS COMMISSION'S REQUIREMENTS AND WILL CONTINUE TO
REVIEW MATTER AND CONSIDER OTHER OPTIONS. KISSINGER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC PRIVILEGES, MEETING DELEGATIONS, DIPLOMATIC PERSONNEL, DIPLOMATIC DISCUSSIONS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 14 MAY 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE118485
Document Source: CORE
Document Unique ID: 00
Drafter: GBHELMAN:MR
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760186-0868
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760552/aaaabsth.tel
Line Count: 123
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 01 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 APR 2004 by CollinP0>; APPROVED <02 APR 2004 by morefirh>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTENSION OF PRIVILEGES AND IMMUNITIES TO COMMISSION REPRESENTATIVES
TAGS: PDIP, AORG, EEC, UN
To: EC BRUSSELS USUN NEW YORK
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006